

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY,

Debtor.

PROMESA

Title III

No. 17 BK 3567-LTS

THIS PLEADING RELATES
ONLY TO THIS TITLE III CASE²

MOTION TO INFORM TRANSFER OF CLAIM

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566- LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² This clarification is made in accordance with the Court's *Order (A) Pursuant to PROMESA Section 304(G), Directing Joint Administration of Initial Title III Cases and Additional Title III Cases, and (B) Pursuant to Section 105(A) of The Bankruptcy Code, Making Certain Orders Entered on First Day Pleadings Applicable to the Additional Title III Cases*. See, Docket No. 167 at ¶ 5 of p. 4.

COMES NOW AmeriNational Community Services, LLC as servicer for the GDB Debt Recovery Authority (hereafter “AmeriNat”) authorized to pursue and enforce the GDB Debt Recovery Authority’s rights and remedies in any legal proceeding, including the GDB Debt Recovery Authority’s participation as a creditor in the instant Title III case, by and through the undersigned legal counsel, and respectfully informs and requests the Court as follows:

1. On May 21, 2017, the Puerto Rico Highways and Transportation Authority (“HTA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as HTA’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), filed a petition with the United States District Court for the District of Puerto Rico (the “District Court”) under title III of PROMESA (the “Title III Case”).

2. On May 25, 2018, the Government Development Bank for Puerto Rico (“GDB”) filed the Proof of Claim No. 29533 (as amended on June 29, 2018, Proof of Claim No. 151149) in the amount of \$2,355,974,556.98 (the “Claim”).

3. On August 24, 2017, the Governor of the Commonwealth of Puerto Rico signed into law the *Government Development Bank for Puerto Rico Debt Restructuring Act*, Act No. 109-2017 (as amended by Act No. 147-2018, the “GDB Restructuring Act”), which, among other things, created the GDB Debt Recovery Authority as a statutory public trust and a governmental instrumentality of the Commonwealth.

4. GDB commenced a Qualifying Modification proceeding under Title VI of PROMESA on August 10, 2018 before the United States District Court for the District of Puerto Rico (the “Qualifying Modification”) (Docket No. 1 of Civil Case No. 18- 01561 (LTS)), which

Qualifying Modification was approved by the Court on November 6, 2018. See, Docket No. 270 of Civil Case No. 18- 01561 (LTS).

5. The restructuring of GDB is being effectuated by the GDB Debt Recovery Authority pursuant to the Qualifying Modification and the GDB Restructuring Act. Pursuant to the terms of the Qualifying Modification and the GDB Restructuring Act, GDB has irrevocably assigned and transferred certain assets to the GDB Debt Recovery Authority, including the Claim in the instant Title III Case.

6. Based on the foregoing, AmeriNat, as servicer for the GDB Debt Recovery Authority authorized to pursue and enforce the GDB Debt Recovery Authority's rights and remedies in any legal proceeding, including the GDB Debt Recovery Authority's participation as a creditor in the instant Title III Case, hereby submits and files its *Transfer of Claim other than for Security* with regards to GDB's Claim. See, **Exhibit A**.

WHEREFORE, AmeriNat respectfully requests the Court to take note of the foregoing, to allow the transfer of GDB's Claim, and to make the appropriate corrections and clarifications in the Court's records (including the claim registry maintained by Prime Clerk) regarding the transfer of GDB's Claim.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 29th day of January, 2019.

MCCONNELL VALDÉS LLC

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servicer for the GDB Debt Recovery Authority*

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WE HEREBY CERTIFY that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants in this case. We further certify that, on this same date, we served the foregoing upon all the Standard Parties as identified and defined at ¶ II(A) of the Court's *Order Establishing Case Management Procedures* (Docket No. 40), as amended and clarified (Dockets No. 262, 1065, 1512, 2839, 3730, 3804, and 4866 of Case No. 17-03283 (LTS))